

## Message Text

LIMITED OFFICIAL USE

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53

ACTION L-03

INFO OCT-01 ARA-16 ISO-00 SCA-01 JUSE-00 DEAE-00 SNM-02

SSO-00 /023 W

----- 015360

O 041714Z OCT 73

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC IMMEDIATE 6038

LIMITED OFFICIAL USE SANTIAGO 4837

EO 11652: N/A

TAGS: PFOR CPRS SNAR CI

SUBJ: EXTRADITION REQUESTS

REFS: STATE 196662, 196663

1. PRREFESSOR MANUEL GUZMAN VIAN, WELL-KNOWN TO DEPT  
IN CONNECTION NARCOTICS LAW MATTERS E.G. STATE A-11715, DEC 1,  
1972), STRONGLY RECOMMENDS TO US INFORMALLY AGAINST REFERENCE  
IN NOTES REQUESTING EXTRADITION MERELY TO PROCEDURAL PROVISIONS  
OF ART II OF 1900 EXTRADITION TREATY BECAUSE THAT IS SPECIFIC  
ARTICLE WHICH LISTS EXTRADITABLE OFFENSES AND DOES NOT LIST NAR-  
COTICS CRIMES. HE RECOMMENDS GENERAL REFERENCE TO TREATY  
AS A WHOLE, AND SPECIFIC REFERENCES TO PERTINENT PORTIONS OF  
CHILEAN CRIMINAL PROCEDURE CODE AND LAWS CONCERNING NARCOTICS  
CRIMES.

2. ALONG THESE LINES, GUZMAN RECOMMENDS FOLLOWING LANGUAGE  
IN NOTES REQUESTING EXTRADITION:

QUOTE...IN ACCORDANCE WITH THE TREATY OF EXTRADITION  
BETWEEN THE UNITED STATES AND CHILE, SIGNED AT SANTIAGO  
APRIL 17, 1900, RATIFICATIONS EXCHANGED AT WASHINGTON  
MAY 27, 1902, TOGETHER WITH ITS COMPLEMENTARY PROTOCOL,  
AND IN ADDITION IN ACCORDANCE WITH ARTICLES 644 AND FOLLOWING  
OF THE CODE OF PENAL PROCEDURE OF THE REPUBLIC OF CHILE AND  
WITH LAWS 17,155, ART 8 AND 17,934, ART. 24 OF THAT SAME  
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COUNTRY...UNQUOTE

3. RECOGNIZING DEPT'S CONCERN AND AT SAME TIME IMPORTANCE  
OF GUZMAN'S ADVICE, PERHAPS WE COULD USE HIS ABOVE SUGGESTED  
LANGUAGE BUT MODIFIED TO START QUOTE...IN ACCORDANCE WITH  
THE PROCEDURES PROVIDED IN THE TREATY ETC....UNQUOTE.

4. REQUEST INSTRUCTIONS SOONEST.  
DAVIS

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DRUG CONTROL, EXTRADITION AGREEMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 04 OCT 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973SANTIA04837  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** SANTIAGO  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19731050/aaaabkxb.tel  
**Line Count:** 69  
**Locator:** TEXT ON-LINE  
**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** STATE 196662, 196663  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 16 JAN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <16-Jan-2002 by martinml>; APPROVED <12 FEB 2002 by golinofr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** EXTRADITION REQUESTS  
**TAGS:** PFOR, CPRS, SNAR, CI, US  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005